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**FACSIMILE TRANSMITTAL SHEET**

TO:	Examiner T. Solak	FROM:	James E. Nilles		
COMPANY:	US Patent and Trademark Office	DATE:	April 30, 2001		
FAX NO.:	703.308.7763	PAGES:	7 (Including Cover Sheet)		
RE:	09/541,779	OPERATOR:	A. Weinstock		
<input type="checkbox"/> Original Will Follow		<input type="checkbox"/> Original Will Not Follow		<input type="checkbox"/> Enclosures Will Follow With Original	
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I hereby certify that this correspondence is being sent by *facsimile* to telephone number: 703.308.7763 on April 30, 2001 to Examiner T. Solak at the United States Patent and Trademark Office.

Angela M. Weinstock  
Angela Weinstock

April 30, 2001  
Date

PAP. Amdt.  
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Hisatoshi HIROTA      Art Unit:      Not Known  
Application No.: 09/541,779      Examiner:      Solak  
Filing Date: April 3, 2000      Docket No.: 133,046  
For: CAPACITY CONTROLLER OF CAPACITY VARIABLE  
COMPRESSOR

**PRELIMINARY AMENDMENT**

Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Sir:

This Preliminary Amendment is directed to the new U.S. application as identified above. Please enter this preliminary amendment prior to calculating the fees and amend the application as follows:

**IN THE CLAIMS**

Please cancel claims 1-9 without prejudice and add the following new claims:

- B1
10. (New) A variable capacity controller of a compressor comprising:  
a pressure controlled capacity variation mechanism connected to the solenoid actuated capacity controller generating a variable control pressure for the mechanism on the basis of an initial value of an inhalation pressure of the compressor;  
wherein the capacity controller includes a valve seat located between a first valve chamber part and a second valve chamber part, and a piston actuated valve closure part to open or close communication between a differential pressure port connected to a control